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The Honorable Timothy Dore
Chapter 13
Hearing Date: 7.16.25
Hearing Time: 9:30 AM
Hearing Location: Seattle rm 8106
Response Date: 7.16.25 at 9:30 am

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

In re

Case No.: 25-11306

CHAPTER 13

Melissa Huelsman,
Debtors.

REPLY TO TRUSTEE'S RESPONSE TO
DEBTORS MOTION TO APPROVE SALE OF
REAL PROPERTY

The Debtor, through her attorney, Erin Lane replies to the Response to Debtor's Motion To Approve Sale of Real Property filed by the Chapter 13 Trustee's Office as follows:

The Trustee asserts that the debtor no longer has an interest in the real property to sell. This assertion is incorrect. The buyer to the real property has assumed the risk and provided Ms. Huelsman with a cashier check for the redemption amounts. *See Declaration of Debtor.* This check was delivered to King County Sheriff's office on July 14, 2025, to have everything in place waiting for this court to determine the Motion to Approve Sale. *Id.* The Assignment of the Right to Redeem has not been recorded and the Debtor and buyer understand that nothing can be done to finalize the sale of the Property until this Court enters its Order. *Id.* Chapter 6.23 RCW allows a judgment debtor or their successor in interest to redeem property sold at a foreclosure

Reply

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1 sale by paying the purchaser the sale price plus interest and taxes. RCW 6.23.010(1)(a), .020(2).
2 The judgment debtor must exercise this right within either one year or eight months after the date
3 of sale. RCW 6.23.020(1). Here, the redemption period was one year, but it was extended by the
4 King County Superior Court twice until its final deadline of May 14, 2025.

5 In the case of *JP Morgan Chase Bank, NA v. Unknown Heirs & Devisees of Porter*, 16
6 Wash. App. 2d 591, 595, 481 P.3d 1114, 1116 (2021), Madrona Lisa paid the redemption amount
7 before the deadline and for that reason, she was entitled to receive the Certificate of Redemption
8 from the Sheriff's Office. The same would be true in this case.

9 In Ms. Huelsman's case the redemption period ended at midnight on July 14th and she
10 met that deadline when she provided a cashier's check to the King County Sheriff's Office. As
11 long as Ms. Huelsman provided timely payment, she met her redemption timeframe.

12 The redemptioner's rights, however, are fixed at that time. The subsequent proceedings
13 are to compel the sheriff to recognize a right already accrued, and whether these are instituted
14 after or before the right of redemption [*104] expires does not affect the proceedings. What
15 might be the effect of an unusual delay we need not consider, as the proceedings in this instance
16 were timely. *State ex rel. Bryant v. Starwich*, 131 Wash. 101, 103-04, 229 P. 12, 13 (1924).

17 Debtor's Motion should be granted.

18 Respectfully Submitted this 15th day of July 2025

19
20 /s/ Erin Lane
21 Erin Lane, WSBA No. 42504 Attorney for the Debtors
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Reply

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1 PROOF OF SERVICE

2 I declare that on July 15, 2025 I served the foregoing Reply To Trustee's Response to Debtors Motion To Approve
3 Sale of Real Property on the following via ECF:

4 Honorable Timothy Dore
Us Trustee
Jason Wilson-Aguilar

5 Dated this July 15, 2025

6 /s/ Erin Lane
Attorney for Debtor WSBA 42504
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Reply

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